

1 BILL NO. S-80-08-08

2 SPECIAL ORDINANCE NO. S-

3  
4 AN ORDINANCE approving a contract  
5 between the City of Fort Wayne and  
6 Gladieux Refinery, Inc. for fire  
7 protection to premises outside the  
8 City.

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
10 FORT WAYNE, INDIANA:

11 SECTION 1. That the contract, dated June 22, 1980,  
12 between the City of Fort Wayne, by and through its Mayor and  
13 Board of Public Safety, and Gladieux Refinery, Inc. and the  
14 furnishing of fire protection by the Fort Wayne Fire Depart-  
15 ment to premises of Gladieux Refinery, Inc. outside the city  
16 limits, described as follows, to-wit:

17 All buildings and improvements of Gladieux  
18 Refinery, Inc. located in an area:

19 67-0008-0007 4.195 acres of West 385 feet  
20 East of Fort Wayne Union RR between Wabash  
21 RR and U.S. 24 and 30 Northeast 1/4 of Sec-  
22 tion 8.

23 67-9990-4012 South 86, 100 square feet North-  
24 east 1/4 Section 8 North of New Haven Avenue,  
25 South of Norfolk and Western RR lease ground  
26 Fort Union RR.

27 67-0008-0012-I South 13.78 chains of East  
28 4.52 chains West 14.52 chains of fractional  
29 Northeast 1/4 Section 8. 60 acres.

30 67-0008-0075 East 410.2 of West 1454.4 feet  
31 Northeast 1/4 between RR and 24 and 30. Sec-  
32 tion 8.

67-0008-0005 East 5 acres of mid part frac-  
tional Northeast 1/4 South of canal and North  
of RR and except Southeast 2.94 and vacated  
road adjacent North of the North Section 8.

67-0008-0041 North 6.85 acres of West 14.04  
feet Northeast 1/4 South of road except Fort  
Wayne Union RR of Section 8.

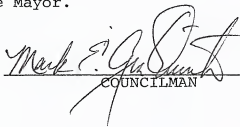
67-0008-0017 1.32 acres of Trl West 385 feet  
East of Union RR between Maumee Rd. and U.S.  
24 and 30 North East 1/4 of Section 8.

The said buildings and improvements, which are  
collectively referred to as "the premises" here-  
after in this contract, are reflected for tax  
purposes upon the assessed value of \$244,900  
issued by the Adams Township Assessor's Office.

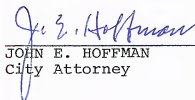
At a cost to Gladieux Refinery, Inc. of \$2,494.06, all as  
more particularly set forth in said contract which is on file  
in the Office of the Board of Public Safety and is by refer-  
ence incorporated herein and made a part hereof, is hereby in  
all things ratified, confirmed and approved.

SECTION 2. The proceeds of such contract received  
by the City shall be deposited in the City "Fire Fighting  
Fund" pursuant to I.C. 18-6-8-2.

SECTION 3. This Ordinance shall be effective upon  
its passage and approval by the Mayor.

  
COUNCILMAN

APPROVED AS TO FORM AND  
LEGALITY AUGUST 8, 1980.

  
JOHN E. HOFFMAN  
City Attorney

Read the first time in full and on motion by Gia Quinta, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 8/12/80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: 10-14-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

Charles W. Westerman - CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Charles W. Westerman - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Winfield C. Moses, Jr.  
MAYOR

*Held  
Sept 19/21  
180*

*Held for 2 weeks  
Sept 16, 180*  
*Held for 21*

BILL NO. S-80-08-08

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN  
ORDINANCE approving a contract between the City of Fort Wayne  
and Gladieux Refinery, Inc. for fire protection to premises outside the  
City

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE unltd PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

*10-14-20*  
DATE CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Office of the City Clerk

October 13, 1980

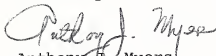
Members of the City  
Council  
City of Fort Wayne

Dear Council Members:

I am requesting that Bill No. S 80-08-08, which is presently being held in Committee, be withdrawn.

This ordinance pertains to approval of a contract between the City of Fort Wayne and Gladioux Refinery for fire protection for premises outside the city.

Sincerely,

  
Anthony J. Myers  
Fire Chief

bjs

NOTE: It is our intention to renegotiate this agreement and resubmit ordinance at later date.

## FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 22nd day of June, 1980, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and GLADIEUX REFINERY, INC., a corporation having a place of business in Adams Township, Allen County, Indiana.

WHEREAS, GLADIEUX REFINERY is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of GLADIEUX REFINERY, INC. located in an area:

67-0008-0007 4.195 Acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U. S. 24 and 30 Northeast  $\frac{1}{4}$  of Section 8.

67-9990-4012 South 86, 100 square feet Northeast  $\frac{1}{4}$  Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 Chains of East 4.52 Chains West 14.52 Chains of fractional Northeast  $\frac{1}{4}$  Section 8. 60 acres.

67-0008-0075 East 410.2 of West 1454.4 feet Northeast  $\frac{1}{4}$  between RR and 24 and 30. Section 8.

67-0008-0005 East 5 acres of mid part fractional Northeast  $\frac{1}{4}$  South of canal and North of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

67-0008-0041 North 6.85 Acres of West 14.04 feet Northeast  $\frac{1}{4}$  South of road except Fort Wayne Union RR of Section 8.

67-0008-0017 1.32 Acres of Tr1 West 385 feet East of Union RR between Maumee Rd. and U.S. 24 and 30 North East  $\frac{1}{4}$  of Section 8.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of \$244,900 issued by the Adams Township Assessor's Office.

and, WHEREAS, GLADIEUX REFINERY desires to be assured that fire protection by CITY is available at the premises above-described

NOW, THEREFORE, the parties agree as follows:

1. From June 22, 1980 until June 21, 1981, upon the receipt of CITY'S Fire Department of a notification or signal that there is a fire on the premises above described, CITY shall cause the proper

fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

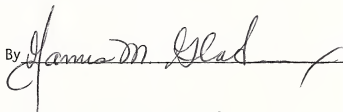
2. For firefighting services provided for herein GLADIEUX REFINERY shall pay to CITY the sum of One and One Hundred Eighty Four Ten Thousandths (\$1.0184) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements hereinabove identified as the premises. The improvement hereinabove identified having an assessed valuation of \$244,900, the sum owing under this contract is \$2,494.06. Said sum shall be payable upon execution of this contract.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect GLADIEUX REFINERY buildings, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and GLADIEUX REFINERY operations on the premises and to enforce the City Fire Prevention Code so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

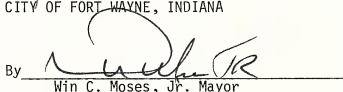
4. Notwithstanding the foregoing provision, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

GLADIEUX REFINERY, INC.

By 

CITY OF FORT WAYNE, INDIANA

By   
Win C. Moses, Jr. Mayor

BOARD OF COMMISSIONERS  
DEPARTMENT OF PUBLIC SAFETY

By \_\_\_\_\_

By William H. White  
William H. White, Member

By Helen J. Brown  
Helen J. Brown, Member

I hereby certify that the foregoing contract was ratified and  
approved by the Common Council of the City of Fort Wayne, Indiana,  
on \_\_\_\_\_, 1980.

\_\_\_\_\_  
Charles W. Westerman, Clerk



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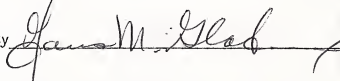
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CITY OF FORT WAYNE, INDIANA

By



Win C. Moses, Jr. Mayor

BOARD OF COMMISSIONERS  
DEPARTMENT OF PUBLIC SAFETY

By \_\_\_\_\_

By William H. White  
William H. White, Member

By Helen J. Brown  
Helen J. Brown, Member

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on \_\_\_\_\_, 1980.

\_\_\_\_\_  
Charles W. Westerman, Clerk

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

*480-08-08*

TITLE OF ORDINANCE Outside the City Limits Fire Contract

DEPARTMENT REQUESTING ORDINANCE Board of Public Safety

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide  
fire protection for Gladieux Refinery, Inc. They, in turn, will pay the  
City \$2,494.06, which is used to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive \$2,494.06

EFFECT OF NON-PASSAGE The Fort Wayne Fire Department will lose \$2,494.06

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

DATE SUBMITTED: *Finance*